



## Privacy & Civil Liberties Oversight Board

**To:** Members, Privacy and Civil Liberties Oversight Board  
**From:** (b) (6), Legal Counsel  
**cc:** (b) (6), Chief Administrative Officer  
**Re:** PCLOB-D-8-2013: System of Records Notice, FOIA and Privacy Act Files

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### DECISION REQUIRED

Approval of the system of records notice for the Board's Freedom of Information Act and Privacy Act files.

### BACKGROUND

The Privacy Act of 1974, 5 U.S.C. 552a, requires that federal agencies publish a notice in the federal register about any "systems of records" (as defined by the Privacy Act) maintained by the agency. These notices should be published before the agency collects any personally identifiable information that will be maintained in a system of records. In addition, the public has 30 days to comment on the notice before the system is in effect.

As a federal agency, the Privacy and Civil Liberties Oversight Board is subject to the Freedom of Information Act, 5 U.S.C. 552, and the Privacy Act. These laws, along with the Federal Records Act, require that the Board maintain files related to requests. These files will include personally identifiable information, including, but not limited to, requester names and addresses. As a result, the Privacy Act requires that the Board publish a system of records notice for its FOIA and Privacy Act case files in the Federal Register.

### DECISION

The Board approves the attached system of records notice and authorizes Legal Counsel to submit to OMB for review, the Federal Register for publication, and Congress.

*Approved by notational procedures.*

| Board Member           | Yes | No |
|------------------------|-----|----|
| Rachel Brand           |     |    |
| Elisabeth Collins Cook | X   |    |
| James X. Dempsey       | X   |    |
| Patricia Wald          | X   |    |

*Approved by the Board (effective April 16, 2013)*

Certified by: Claire McKenna  
Claire McKenna  
Legal Counsel